

**OFFICE OF SELECTMEN  
6 HOLLAND STREET  
PO BOX 139  
MOULTONBOROUGH, NH 03254**

Selectmen's Meeting

June 16, 2016

**MINUTES**

Selectmen: Christopher P. Shipp, Chair (absent with prior notice), Russell C. Wakefield, Vice Chair, Josiah H. Bartlett, Jean M. Beadle, Paul T. Punturieri; Walter P. Johnson, Town Administrator; and Hope K. Kokas, Administrative Assistant.

**I. CALL TO ORDER:** Russ called the meeting to Order at 7:00 P.M.

**II. PLEDGE OF ALLEGIANCE:**

**III. REVIEW / APPROVAL MINUTES:** Paul Made the Motion to approve the June 9, 2016 Meeting minutes as written. Jean Seconded. The Motion carried Unanimously.

**IV. NEW BUSINESS:**

1. Public Hearing: Ord. #8, Amendment to Parking Regulations (Old Rte. 109): Russ opened the public hearing. Walter explained that due to the discussion at the Selectmen's meeting on June 2<sup>nd</sup>, the amendment is to prohibit parking and post no parking signs on the North side of Old Route 109, extending 250' west from the intersection of Route 109. He received an email forwarded by Josh from Cristina Ashjian with historical photos and her statement. Paul thought that if Chief Wetherbee has had to place no parking cones in this area, then his recommendation makes sense and will help the Wallaces. Jean and Russ agreed. Josh thought that it had been 285' when discussed by the Planning Board and on both sides of the road. The Chief reported that he walked the proposed area with Mr. Wallace and was told that the 250' past his driveway would be sufficient. 1) Kim Prause, owner of Rock Pile, LLC (Cup & Crumb, 84 Gov. Wentworth Highway), told the Selectmen that she had no objection to the amendment to the ordinance. 2) Eric Taussig, to correct the record, said what the Planning Board discussed was 290' and not 285'. When the Planning Board approved the site plan for Rock Pile, they required the owner to deposit \$750 in a fund for signage. Russ told Mr. Taussig that he felt that 290' or 285' was excessive, and regardless this requirement was not in the Planning Board's motion, but discussion only. He agreed with Mr. Taussig that the \$750 was in the motion, however, the motion required a maximum of 5 signs. Chief Wetherbee told the Board that only 4 are needed. As there was no further discussion Russ closed the public hearing at 7:10 p.m. Josh Made the Motion to amend Ordinance #8, An Ordinance Relative to Parking Regulations as presented and specifically page 5, section e., updating map and lot numbers and current owners, and section f., which reads, "Stop, stand or park a vehicle on the north side of Old Route 109 extending 250' west from the intersection of Route 109." Paul Seconded and the Motion carried Unanimously.

2. Review for Action: Consent & Signature File as of June 16, 2016:

6/16/16	Warrant for Unlicensed Dogs, June 2016	N/A
6/16/16	Application for Construction of Driveways	152-004
6/16/16	Application for Construction of Driveways	167-001-001
6/16/16	Application for Construction of Driveways	202-010
6/16/16	NH Burial Transit Permit	Shannon Cemetery

6/16/16	NH Burial Transit Permit	Middle Neck Cemetery
6/16/16	Trust Fund Expenditures - 2016	N/A
6/16/16	MA Disposition, Removal or Transportation Permit	Shannon Cemetery

Paul Made the Motion to approve the Consent & Signature File for June 16, 2016. Josh Seconded. The Motion carried Unanimously.

3. Review for Action: Staff Report, Tax Deed Waivers (2), 65 Barrett Place, Sites 54 & 55: Walter explained that the first group of deed waivers concerns 2 campers that lease campsites for the 2013 tax levy. Tax Collector, Susette Remson, in her Staff Report, provided the Board with 2 options. The first would be to abate the taxes, which she doesn't recommend, as this would set precedent and may lead to other owners of campers to not pay their real estate taxes. The second option would be to bring action through the courts, however this will incur court/service fees that may not be recouped when the decision is rendered. Susette recommended to waive the deeds for the two properties and to allow her and the Town Administrator to research bringing suit in court. Walter explained that the campers are not deeded and therefore there is nothing to lien at the Carroll County Registry of Deeds. By waiving the tax deeding for these 2 properties, the taxes would continue to be charged along with interest and fees. Russ explained that while taxing campers in Moultonborough appears to be more of a hassle then it is worth, for cities like Laconia, that has large camper sites, this is a considerable amount of tax revenue. Josh Made the Motion to waive the tax deeds on MBLU 213-017-000-CG0-054 and 213-017-000-CG0-055, campers located at 65 Barrett Place, as outlined in the Tax Collector's memo of June 16, 2016 pursuant to RSA 80:76 II-a and to authorize the Town Administrator and Tax Collector to research court action. Paul Seconded. Josh, Paul and Jean – Aye, Russ – Nay. Russ explained his vote as he wants the owners to pay their taxes. The Motion carried.
4. Review for Action: Staff Report, Tax Deed Waivers, 10 Properties: Walter told the Board that the circumstances of these 10 properties are different. In Susette's Staff Report, she explained that she is requesting the tax deed waiver for 2 properties due to the owners are under a payment agreement. The remaining 8 properties, the owners are all involved in the FRM scandal and are under an on-going investigation by the Attorney General and in various stages of the court system, including bankruptcy which would prohibit the Town from tax deeding them. Paul Made the Motion, Josh Seconded to waive the tax deeds on the 10 properties as outlined in the Tax Collector's Staff Report of June 16, 2016, pursuant to RSA 80:76 II-a. The Motion carried Unanimously.

## V. OLD BUSINESS:

1. Paul reported that the Board met at 6 p.m. to meet and negotiate with the law firm of Drummond and Woodsum for their proposal for Town Attorney. Paul Made the Motion to accept the proposal from Drummond and Woodsum. Josh Seconded and the Motion carried Unanimously.

## VI. OTHER BUSINESS:

1. Board Update Reports: None.
2. Town Administrator's Report: Walter reported that he spoke with Primex' in-house counsel regarding the Town's potential liability and if the Town is required to fund a runaway ramp, or if the Town can require CG Roxane to build the ramp. He was advised that if the cost of the ramp (estimated \$200,000-\$700,000) exceeded what the Town would normally allocate to build this type of improvement, then the Town isn't required to build it. In addition, if the Planning Board did not require CG Roxane to build the

ramp, then they can't be required to build it either. After a brief discussion, Walter suggested and the Board agreed that he contact CG Roxane to become more familiar with their business and also to start the discussion with the residents' concerns that a runaway ramp is needed. Construction continues to be delayed at the intersection of Old Route 109 and Route 25, and Far Echo and the Neck Road due to Fairpoint Communications. Walter explained that he and the Town's Engineer have pressed Fairpoint to get the line relocation work done so the Town can proceed with completing the projects. He was told that there was a communication problem between Fairpoint and the NH Electric Co-op. Walter reported that the President of the Lions Club advised him that it is unlikely that the club will renew the property lease in 2017. They would want to use the space, but not lease the building. This item will be discussed at the Board's upcoming work session. He and Jean will be meeting with Attorney Rice to work on revising the personnel handbook. On Tuesday Walter will be meeting with a planner consultant to see about using consulting services on a part time interim basis until a planner can be hired. Also, he will be talking with LRPC about their circuit rider planner program for interim support services. The DPW Director Search Committee is reviewing applications and will be meeting on Wednesday, June 22<sup>nd</sup>, 10 a.m. to discuss candidates and set up interviews. The Board's retreat is scheduled for Thursday, June 23<sup>rd</sup>, 10 a.m. to noon to include review and consider new goals, and review the Board's governance. Josh reported that he would be unable to attend the retreat. Walter recommended rescheduling as it was important that all Board members attend. The Board's Work Session is also scheduled for June 23<sup>rd</sup> at 4 p.m. He concluded asking for a Non-Public Session per 91A:3 II (b) for hiring. Josh asked about work session topics not listed, such as review of the Non-Public Minutes and the review of Town owned properties. Paul felt that these items, due to the vacancies and changes, are not a priority at this time. Walter told Josh that these items haven't been forgotten, but he hasn't been able to get to them. He added that he is working with Hope on the Town owned property review, which she has started. Josh asked about the email received from Scott Kinmond in regards to recent cemetery concerns. Walter replied that it is a matter of mapping and accurately identifying plots, adding that he hasn't had an opportunity to look into it yet.

### **VIII. CORRESPONDENCE:**

1. Jennifer H. H. Parker, June 6, 3016, Condition of Moultonboro Neck: Russ reported that Ms. Parker's letter expresses concern over the condition of the road. He added that the state maintains the road in the summer and the Town maintains it during the winter. Unfortunately the Town can't do anything without the state's participation. Paul commented that the reconstructed portion of the Pathway hasn't had the fog lines painted, which is to be done by the state. Russ said that this was a budgetary decision by the Governor with only major state roads being painted. Josh asked if the Town can paint the fog lines. Walter said he would look into. The Board asked Walter to respond to Ms. Parker's letter.

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- 1) Mr. Taussig asked the Board what the Town's policy was for dust "prohibitors" on gravel roads. In addition he wanted to know the Town's standard to pave a gravel road. Paul thought that the road program Scott Kinmond uses has set the standard. Walter said that he will talk with Scott and report back. Mr. Taussig asked the Selectmen to not abandon pursuing a runaway ramp on Ossipee Park Road. Josh told him that Walter will contact CG Roxane. Paul added that the Town can't force them to build it.
  - 2) Joe Cormier told the Selectmen that truck ramps don't need to be fancy or extensive especially with the ABS braking

systems that trucks have. Russ commented that if the Town were to build a ramp, it needs to be done properly. 3) Hollis Austin asked why CG Roxane doesn't pump the water to the bottom of the hill vs. requiring trucks to drive up the hill. Russ explained that the main reason is economics. He added that there was only a discussion about a runaway ramp and it wasn't required. 4) Mr. Taussig added that CG Roxane would have to get permission or access land from LRCT which they were prohibited from doing due to the covenants. Josh said that the Town can't force the issue and to let Walter talk with them.

- X. NON-PUBLIC SESSION:** Josh Made the Motion for the Board to go into Non-Public Session per 91-A:3 II (b), for hiring and to return for the sole purpose to adjourn. Paul Seconded. A roll call was taken: Josh – Aye; Paul – Aye; Jean – Aye; Russ – Aye. The Motion carried and the Selectmen went into Non-Public Session at 7:55 p.m.

The Board exited Non-Public Session at 8:09 p.m. Paul Made the Motion to seal the minutes. Josh Seconded and the Motion carried Unanimously.

- XII. ADJOURNMENT:** Josh Made the Motion to Adjourn. Paul Seconded.  
Motion Carried Unanimously  
Russ adjourned the meeting at 8:10 p.m.

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Approved

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Date  
Respectfully Submitted  
Hope K. Kokas, Administrative Assistant